

REMARKS / ARGUMENTS

In the specification, the paragraph beginning at page 8, line 20 has been amended to correct a minor editorial problem. The paragraph beginning at page 21, line 10 has been amended to add a reference to what is shown in original FIG. 7G.

Claims 1-5, 7-15, and 17-45 remain in this application. Claims 1, 9, 11, 16, 29, and 40 are currently amended. New claims 43-45 have been added. Claims 6 and 16 have been canceled.

As amended, claim 1 incorporates the recitations of original claim 6. A minor editorial amendment is made in claim 9. As amended, claims 11 and 40 also incorporate the subject matter recited in original claim 6. An editorial amendment also has been made in claim 16. As amended, claim 29 further recites routing the product proposal plan via the computer to a label development support subsystem, if the product proposal is accepted, for packaging label development; and receiving product label information into the computer from the label development support subsystem (page 20, first full para.; page 29, first full para.; page 47 , line 4 et seq.). New claims 43 and 44 share support in the original disclosure as that identified above relative to the amendments made to claim 29. New claim 45 incorporates the subject matter of original claims 1 and 8, and further indicates that the selecting means for permitting a user to select one or more names of desired team members for recipients of e-mail in a window relates to a user being able to selectively check boxes next to displayed names of the team members without having to scroll out of a screen to send the e-mail (page 21, lines 15-24; FIG. 7D).

In paragraph 1 of the Office Action, Claims 16 and 35 have been rejected under 35 USC §112, second paragraph, for indefiniteness.

As to claim 16, Applicants have amended claim 16 to reflect the Examiner's indicated interpretation of the claim language. Claim 35 has been canceled.

In paragraph 2 of the Office Action, Claims 40 and 42 have been rejected under 35 USC §102(e) as being anticipated by Sandoval et al. (U.S. Publication 2003/0004766; "Sandoval"). Applicants respectfully traverse for the following reasons.

Sandoval fails to teach or suggest a method for automating a project development system which provides a graphical user interface providing contextual help for users displayed as pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor arrow and rests it on a button or heading in the screen, in combination with the other provisos recited in claim 40.

The provision of contextual help to users via pop-ups appearing on the user's display screen when a user moves a cursor arrow and merely rests it on a button or heading in the screen via a graphical user interface is not taught nor suggested by Sandoval. In the manner presently claimed, users are automatically provided contextual help in a passive manner as they navigate a cursor through selections and items shown on a screen without the user needing to personally click-on features or otherwise affirmatively go searching for assistance or explanations on the system. Sandoval appears to teach provision of displays showing worksheet templates to users for data entry but no real-time contextual help is provided via pop-up displays

on displayed screens in the manner claimed (paragraphs [0016]-[0017]; FIGS. 2B, 2C, 3-7).

In view of the above, Applicants respectfully submit that claims 40 and 42 are not anticipated by Sandoval, and, accordingly, this rejection should be withdrawn.

In paragraph 3 of the Office Action, Claims 1-3 and 9-11 (but not claim 6, et al.) have been rejected under 35 USC §103(a) as being unpatentable over Page et al. (U.S. Patent No. 6,212,549, "Page") in view of Sandoval. Applicants respectfully traverse for the following reasons.

As amended, independent claims 1 and 11 incorporate subject matter of original claim 6, which was not included under this rejection. Therefore, Applicants submit that this rejection is no longer applicable, and, accordingly, this rejection should be withdrawn.

In paragraph 4 of the Office Action, Claims 4-8 have been rejected under 35 USC §103(a) as being unpatentable over Page in view of Sandoval, as applied to claims 1-3 and 9-11, and further in view of Kidder et al. (U.S. Publication 2004/0031030; "Kidder"). Applicants respectfully traverse for the following reasons.

First of all, Applicants object to the repeated reference to a "combined Page-Sandoval reference" in the Office Action (e.g., see page 7), as being improper. No such "prior art reference" exists. To the extent the Office Action actually is suggesting even further modifications be made to the project development system described in either Page or Sandoval in view of Kidder in an effort to reconstruct the present claimed invention, Applicants request clarification of that position in the next Official Action.

Applicants point that Kidder is not directed to an automated computer-implemented project development system or method of its use. Instead, Kidder provides a method and apparatus for facilitating "hot" upgrades of software components within a telecommunications network device through the use of "signatures" generated by a signature generating program (Abstract; paras. [0013]-[0017]).

The Office Action does not identify any description in the relied upon references of Page, Sandoval or Kidder that might have served as a teaching, suggestion or incentive motivating one of ordinary skill in the art to modify a computer-implemented project development system as described in Page, or Sandoval, based on anything that Kidder describes in the context of a "hot" software upgrade provision system.

When selectively combining prior art references in an effort to render obvious an invention, there must be some reason for the proposed combination other than the hindsight gleaned from the present invention itself. Something in the prior art as a whole must suggest the desirability of making the combination. Whether it may be obvious to try various combinations of features that can be identified in different prior art references is not relevant to the applicable standard under 35 U.S.C. §103.

Even ignoring the evidence for the moment, for sake of argument only, that no bona fide motivation is present to support the modification of Page, or Sandoval, in view of Kidder as proposed in the Office Action, the proposed combination still falls short of the presently claimed invention from a technical standpoint.

At page 8 of the Office Action, the descriptions in Kidder at page 11, [0153-0154], are identified and relied upon as

purportedly being relevant to original claim 6. Applicants disagree with that indication made in the Office Action, for the following reasons.

Paragraph [0154] at page 11 of Kidder explicitly states the following:

To add a new device, the administrator selects Devices branch 898a and clicks the right mouse button to cause a pop-up menu 898c (Fig. 4b) to appear. The administrator then selects the Add devices option to cause a dialog box 898d (FIG. 4c) to appear.

[Applicants' underlining added for emphasis]

Kidder's proviso for an administrator to affirmatively right-click on a single displayed button to obtain an add device menu is not relevant to the present claimed invention.

As a clear-cut difference therefrom, original claim 6, the recitations of which have been incorporated into claims 1 and 11 (and 40), specifies providing a graphical user interface providing contextual help for users displayed as pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor arrow and rests it on a button or heading in the screen. The present claimed invention provides contextual help for users in an automated facile manner as claimed that is useful to educate and guide users through the process via the graphic user interface in an improved manner.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of the present claims based on the proposed combination of Page, Sandoval, and Kidder.

Applicants also submit that new dependent claims 43 (1) and 44 (11), as well as independent claim 29, further distinguish the cited prior art.

None of Page, Sandoval, nor Kidder teach or suggest integrating a label and packaging development support managing subsystem or software operational to permit users to participate in a uniform label and packaging development process, much less how one might go about such an integration. The present specification describes the features and advantages of the label and packaging development support managing subsystem in detail (e.g., page 20, first full para.; page 20, first full para.; page 29, first full para. et seq.; FIGS. 4, 8, 9A-9N).

In paragraph 5 of the Office Action, Claims 11-39 have been rejected under 35 USC §103(a) as being unpatentable over Page in view of Sandoval, and further in view of Chappell et al. (U.S. Publication 2003/0101089; "Chappell"). Applicants respectfully traverse for the following reasons.

Applicants point out that whatever relevance Chappell may (or may not) have to "quantitatively assessing risk on a project associated with a change proposal and providing an objective risk assessment", in the context of the present claimed system and method, that citation does not compensate for the above-discussed differences identified between independent claims 1, 11, 29, and 40, as amended, and the Page, Sandoval, and Kidder references. Reference is made thereto.

Namely, referring to instant claim 11, Chappell does not teach or suggest a graphical user interface providing contextual help for users displayed as pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor

arrow and rests it on a button or heading in the screen, for a computer-implemented project development system.

Referring to instant claim 29, Chappell also does not teach or suggest routing a product proposal plan via a computer to a label and packaging development support subsystem, if the product proposal is accepted, for packaging label development; and receiving product label information into the computer from the label and packaging development support subsystem.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of the present claims based on the proposed combination of Page, Sandoval, and Chappell.

In paragraph 6 of the Office Action, Claim 41 has been rejected under 35 USC §103(a) as being unpatentable over Sandoval, as applied to claims 40 and 42, in view of Kidder. Applicants respectfully traverse for the following reasons.

Applicants submit that dependent claim 41 distinguishes Sandoval and Kidder for at least the same reasons as discussed above responsive to the rejections made in paragraphs 2 and 4 of the Office Action. Reference is made thereto.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of the present claims based on the proposed combination of Sandoval and Kidder.

Regarding new independent claim 45, none of Sandoval, Page, Kidder, or Chappell teach or suggest a computer-implemented project development system including, in combination with the other recited features, a selecting means for permitting a user to select one or more names of desired team members for recipients of e-mail in a window by selectively checking boxes

next to displayed names of the team members without having to scroll out of a screen to send the e-mail (e.g., page 21, second full para.; see FIG. 7D).

The Office Action (at pages 8-9) urged that Kidder teaches e-mail functionality germane to original claims 7 and 8, referencing page 27, paragraphs [0279]-[0280], and page 97, paragraph [0895], and Figure 9c of Kidder.

Applicants point out that Kidder fails to teach or suggest providing a check box type display for permitting selective e-mailing of team members. In fact, paragraph [0895] of Kidder describes automatic warning e-mails that are sent to a user by the computer network, not another user, when a potential critical failure arises on the network.

In view of the above, Applicants respectfully submit that new claim 45 also is patentable over the cited prior art.

CONCLUSION

In view of the above, it is believed that this application is in condition for allowance, and notice of such is respectfully requested.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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By:

Ramon R Hoch

Ramon R. Hoch
Reg. No. 34,108

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007